

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
EVGENY RYZHOV,
:

Plaintiff,
:

-v-
:

KONSTANTIN MALOFEYEV et al.,
:

Defendants.
:
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23-CV-1072 (JMF)

MEMORANDUM OPINION
AND ORDER

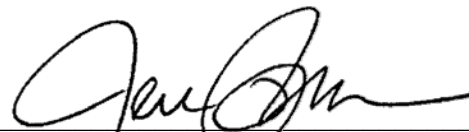
JESSE M. FURMAN, United States District Judge:

Plaintiff seeks an Order authorizing service of process, pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure, by means of serving “[o]ne of Defendant Malofeyev’s guards at Kokoshkinskoye Shosse, 1, Zaitsevo Village, Odintsovo Urban District, Moscow Region, 143020, at the location known as Malofeyev Estate.” ECF No. 69. Because Plaintiff’s previous attempt at service provides corroboration that this address is indeed the residence of Defendant Malofeyev, *see* ECF No. 62-1, and in light of the authority cited by Plaintiff and reviewed by the Court, *see* ECF No. 69, at 4-6; *accord Ahluwalia v. St. George’s Univ., LLC*, 63 F. Supp. 3d 251, 261 (E.D.N.Y. 2014),¹ the Court determines that Plaintiff’s proposed means of service, under the circumstances presented here, “comports with constitutional notions of due process.” *U.S. S.E.C. v. China Intelligent Lighting & Elecs., Inc.*, No. 13-CV-5079 (JMF), 2014 WL 338817, at *1 (S.D.N.Y. Jan. 3, 2014) (citation omitted), and is thus permissible under Rule 4(f)(3). Accordingly, Plaintiff’s motion is GRANTED. Plaintiff should endeavor to serve Defendant Malofeyev in person (or to serve one of his guards in his presence); but in the alternative, he may serve Defendant Malofeyev in the manner that he proposes.

The Clerk of Court is directed to terminate ECF No. 68.

SO ORDERED.

Dated: March 7, 2024
New York, New York



JESSE M. FURMAN
United States District Judge

¹ Plaintiff’s memorandum of law appears to copy wholesale a paragraph from *Ahluwalia* without citation to the case. *Compare* ECF No. 69, at 4-5, *with Ahluwalia*, 63 F. Supp. 3d at 261. In future filings, Plaintiff shall be sure to include appropriate attributions to all authority from which he draws his arguments.